

STATE OF TEXAS

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COUNTY OF GALVESTON

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NOTICE OF FORECLOSURE SALE

Date: February 27, 2020

Deed of Trust:

Dated: April 17, 2017

Grantor: Property Capital Solution L.L.C.

Original Trustee: Jerel J. Hill

Original Lender: CBRE Loan Services, Inc.

Original Lender

Address: 929 Gessner Road, Suite 1700, Houston, TX 77024

Recorded as: Instrument No. 2017023426, in the Official Records of Galveston County, Texas

Secures: Note (as anytime amended or assigned, the “**Note**”) in the original principal amount of \$1,952,000.00, executed by Grantor and originally payable to the order of Original Lender

Property: Real property located in Galveston County, Texas, legally described on Exhibit A attached hereto, which is made a part hereof for all purposes, together with the improvements, fixtures, leases, personal property, and other real and personal property owned by Grantor as more particularly described in the Deed of Trust (collectively, the “**Property**”)

Assignment: The Note and the liens and security interests of the Deed of Trust were transferred and assigned by Original Lender to Federal Home Loan Mortgage, as evidenced by an instrument dated April 17, 2017, recorded on April 17, 2017, as Instrument No. 2017023427, in the Official Records of Galveston County, Texas (the “**Official Records**”), and further transferred and assigned by Federal Home Loan Mortgage to U.S. Bank National Association, as Trustee for the Registered Holders of J.P. Morgan Chase Commercial Mortgage Securities Corp. Multifamily

Mortgage Pass-Through Certificates, Series 2017-SB-36 (“**Lender**”), as evidenced by an instrument dated August 7, 2017, as Instrument No. 2017053372, in the Official Records

Mortgage Servicer: KeyBank National Association represents Lender under a servicing agreement and is Lender’s attorney-in-fact

Mortgage Servicer
Address: 11501 Outlook Street, Suite 300, Overland Park, KS 66211

Substitute Trustees: Patricia Poston, Nick Poston, David Poston, Anna Sewart, Keith Wolfshohl, David Barry, Byron Sewart, Helen Henderson or Melissa Kitchen

Substitute Trustees’
Address: 6700 No. New Braunfels Ave., San Antonio, Texas 78209

Substitute Trustees’
Telephone: 210-226-2556

Substitute Trustee’s
Email: jhollerbach@hollerbach.com

Foreclosure Sale:

Date: Tuesday, April 7, 2020

Time: The sale of the Property (the “Foreclosure Sale”) will take place between the hours of 1:00 p.m. and 4:00 p.m. local time, the earliest time at which the Foreclosure Sale will begin is 1:00 p.m. local time

Place: Lobby, Galveston County Courthouse, 1st Floor, 722 Moody (21st Street), Galveston, Texas 77550.

Terms of Sale: The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that Lender’s bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, Lender, the owner and holder of the Note, has requested that the Substitute Trustee sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Lender’s election to proceed against and sell both the real property and any

personal property owned by Grantor described in the Deed of Trust in accordance with Lender's rights and remedies under the Deed of Trust and Section 9.604(a)(2) of the Texas Business and Commerce Code.

Therefore, notice is given that on and at the Date, Time, and Place of Sale described above, the Substitute Trustee will sell the Property by public sale to the highest bidder for cash in accordance with the Deed of Trust and applicable Texas law.

The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that, by law, the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust. The Foreclosure Sale will extinguish all inferior liens, claims, and encumbrances that are subordinate to the Deed of Trust. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien or security interest of the Deed of Trust by Lender. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to Section 51.009 of the Texas Property Code, the Property will be sold "AS IS", WITHOUT ANY EXPRESSED OR IMPLIED WARRANTIES, EXCEPT FOR GRANTOR'S WARRANTIES OF TITLE (IF ANY) PROVIDED FOR UNDER THE DEED OF TRUST, AND AT PURCHASER'S OWN RISK. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to Section 51.0075 of the Texas Property Code, the Substitute Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced by the Substitute Trustee before bidding is opened for the first sale of the day held.

Notice is given that before the Foreclosure Sale, Lender may appoint another person as Substitute Trustee to conduct the Foreclosure Sale.



Substitute Trustee

ACKNOWLEDGEMENT

STATE OF TEXAS

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) ss.

COUNTY OF GALVESTON

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This instrument was acknowledged before me, the undersigned Notary Public, on the 27 day of February, 2020, by PATRICIA POSTON, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed within the instrument as Substitute Trustee.

WITNESS my hand and official seal affixed hereto.



Notary Public, State of Texas

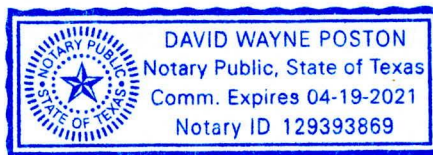


EXHIBIT A

DESCRIPTION OF THE LAND

108,900 square feet or 2.500 acres of land, being the Southeast 1/2 of the Northeast 1/2 of Block 104, in Addition "D", to the TOWN OF DICKINSON, in Galveston County, Texas, as recorded in Volume 155, Page 10, in the Office of the County Clerk of Galveston County, Texas, and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a 1/2 inch iron pipe found in the Southwest line of Lobit Road (70 feet wide) for the Easterly corner of said Lot 104 and the herein described tract;

THENCE South 50 Deg. 52 Min. 00 Sec. West, along the Southeast line of Block 104, 330.00 feet to a 5/8 inch iron rod set for the most Southerly corner of the herein described tract;

THENCE North 39 Deg. 08 Min. 00 Sec. West, parallel to the Southwest line of Lobit Road, 330.00 feet to a 1/2 inch iron rod set for the Westerly corner of the herein described tract;

THENCE North 50 Deg. 52 Min. 00 Sec. East, along the Southeast line of a certain tract described as Tract No. 2 in Deed to Whitney-Pino Alto properties, et al, recorded in Volume 2163, Page 57, Office of the County Clerk of Galveston County, Texas, and parallel to the Southeast line of said Lot 104, 330.00 feet to a 2 inch iron pipe found in the Southwest line of Lobit Road for the Northerly corner of the herein described tract;

THENCE South 39 Deg. 08 Min. 00 Sec. East, along the Southwest line of Lobit Road, 330.00 feet to the POINT OF BEGINNING and containing 108,900 square feet or 2.5000 acres of land.

FILED

Instrument Number: *FILED2020000319*

Filing Fee: 23.00

Number Of Pages:6

Filing Date: 02/27/2020 10:39AM

I hereby certify that this instrument was FILED on the date and time stamped hereon
and RECORDED in the OFFICIAL PUBLIC RECORDS of Galveston County, Texas.



A handwritten signature in black ink that reads "Dwight D. Sullivan". The signature is written in a cursive style with a horizontal line underneath it.

Dwight D. Sullivan, County Clerk
Galveston County, Texas

DO NOT DESTROY - *Warning, this document is part of the Official Public Record.*